

## **Frequently Asked Questions about Information Request Letters**

### **Why is EPA sending out information request letters?**

These letters are part of EPA's information gathering process and search for potentially responsible parties (PRP) under the authority provided by Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Superfund law. Issuing information request letters provides EPA with important information about a Superfund site and is a basic component of nearly all PRP searches.

### **Who is a Potentially Responsible Party?**

A potentially responsible party can be a:

- current owner or operator of a facility
- former owner or operator of a facility at a time when hazardous substances were disposed
- person who arranged for treatment or disposal of hazardous substances
- transporter of hazardous substances who selected the disposal site

In addition to looking at properties next to the Lower Duwamish Waterway, EPA also looks at upland properties which may have contributed to the contamination of the Waterway through various means including storm drains, stormwater runoff, and groundwater contamination.

### **Does receiving an information request letter mean the government has decided that I am a potentially responsible party?**

No. It means that EPA has reason to believe that you have information about past or current property use. The information received in response to an information request letter is one of the sources EPA uses to identify potentially responsible parties.

### **Does receiving a general notice letter mean the government has decided that I am a potentially responsible party?**

If a general notice letter accompanies an information request letter it means that EPA has reason to believe that you may be a potentially responsible party.

### **Can letter recipients choose not to respond to EPA?**

Compliance with the request letter is mandatory, and if EPA does not receive a complete response, the recipient may be subject to possible enforcement action from EPA.

For further information, please contact:

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**On the internet:** <http://yosemite.epa.gov/r10/CLEANUP.NSF/sites/LDuwamish>